

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
)  
Lynn A. DOUCETTE-STAMM et al ) Group Art Unit: 1653  
)  
Application No.: Unknown (Divisional of ) Examiner: E.A. Campbell  
Serial No.09/134,001) )  
) **ATTENTION: BOX SEQUENCE**  
Filed: March 7, 2002 )  
)  
For: NUCLEIC ACID AND AMINO )  
ACID SEQUENCES RELATING TO )  
*STAPHYLOCOCCUS EPIDERMIDIS* )  
FOR DIAGNOSTICS AND )  
THERAPEUTICS )

**DECLARATION PURSUANT TO**  
**37 C.F.R. §1.821-1.825**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Jennifer A. Topmiller, declare as follows:

Transmitted herewith is the "Sequence Listing" in the form of 3 (three)  
copies of a CD-ROM, as allowed in the changes to 37 C.F.R. §§ 1.821-1.825, as published  
in the Federal Register on September 8, 2000. The three copies of the CD-ROM are  
intended to serve as:

- (1) a compact disc copy of the Sequence Listing for  
the above-identified patent application as  
required by 37 C.F.R. § 1.821(c) ("Copy 1"),  
the disc containing the ASCII file named

20040901-032796-101

"Gtc007.pto", stored on March 6, 2002, and of  
9,485 kilobytes in size, in ASCII text format;

- (2) a duplicate copy of the compact disc as required  
by 37 C.F.R. § 1.52(e)(4) ("Copy 2"), the disc  
containing the ASCII file named

"Gtc007.pto", stored on March 6, 2002, and of  
9,485 kilobytes in size, in ASCII text format;

and

- (3) a compact disc copy in computer-readable form  
as required by 37 C.F.R. § 1.821(e), the disc  
containing the ASCII file named "Gtc007.pto",  
stored on March 6, 2002, and of 9,485  
kilobytes in size, in ASCII text format.

4. That the copy of the computer readable form, submitted in  
accordance with 37 C.F.R. § 1.825(d), is identical to that originally  
filed in parent application, U.S. Patent Application Serial No.  
09/134,001.

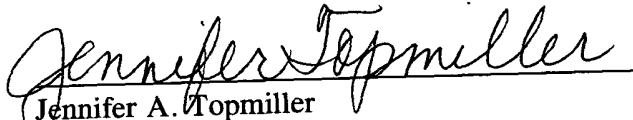
As required by 37 C.F.R. § 1.821(f), Applicants' representative hereby  
states that the contents of the "Sequence Listing" on all three CD-ROMs are identical and  
in computer readable form. As required by 37 C.F.R. § 1.821(g), Representative states  
that the submission is believed to include no prohibited new matter.

204060-11-030702

Application Serial No.: Unassigned  
Attorney's Docket No.: 032796-101

I hereby declare that all statements made herein of my own knowledge are true and that all statements were made on information and belief and are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

March 7, 2002  
Date

  
Jennifer A. Topmiller  
Registration No. 50,435

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